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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,376	11/30/2000	Yutaka Kobayashi	200197US0XPC	1263
22850	7590	06/10/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			SHOSHO, CALLIE E	
			ART UNIT	PAPER NUMBER

1714

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/701,376

Applicant(s)

KOBAYASHI ET AL.

Examiner

Callie E. Shosho

Art Unit

1714

All participants (applicant, applicant's representative, PTO personnel):

(1) Callie E. Shosho.

(3)_____.

(2) Stefan Koschmieder.

(4)_____.

Date of Interview: 4/30/04 & 5/3/04.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: _____.

Identification of prior art discussed: Watanbe et al. (U.S. 5,684,099).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Callie Shosho
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Contrary to examiner's position in the Advisory Action mailed 4/23/04, Mr. Koschmieder argued that the declaration does establish unexpected or surprising results over the "closest" prior art Watanabe et al. given that the declaration compares propylene-ethylene block copolymer composition within the scope of the present claims with propylene-ethylene block copolymer composition outside the scope of the present claims but within the scope of Watanabe et al. and establishes that the composition of the present invention is superior in terms of Izod impact strength at -20°C.

The examiner agreed with Mr. Koschmieder's position regarding the comparison found in the declaration, however, the examiner noted that Watanabe et al. discloses Izod impact strength using units of hr·cm/cm while the declaration discloses Izod impact strength in units of kg·cm/cm. The examiner noted that the table on page 2 of the declaration discloses the same values of Izod impact strength as disclosed in Table 6 of Watanabe et al. but using units of kg·cm/cm. The examiner questioned how the Izod impact strength restated in the declaration from Watanabe et al. could be the same when the units of measurement were different or how the Izod impact strength values of Watanabe et al. measured in hr·cm/cm could be compared with Izod impact strength of present invention which appear to be measured in units of kg·cm/cm.

Mr. Koschmieder agreed to address the difference in units in the next response but noted that it is known to one of ordinary skill in the art that the method used to measure Izod impact strength in Watanabe et al., i.e. in accordance with JIS K7110, closely corresponds to the method used to measure the Izod impact strength of the compositions of the present invention, i.e. in accordance with ASTM D256.